

House File 621 - Introduced

HOUSE FILE 621

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 79)

A BILL FOR

- 1 An Act relating to the issuance of persons with disabilities
- 2 parking permits, and including effective date and
- 3 applicability provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321L.2, Code 2011, is amended to read as
2 follows:

3 **321L.2 Persons with disabilities parking permits —**
4 **application and issuance.**

5 1. A resident of the state with a disability desiring a
6 persons with disabilities parking permit shall apply to the
7 department ~~upon an application~~ on a form furnished by the
8 department providing the applicant's full legal name, address,
9 date of birth, and social security number or Iowa driver's
10 license number or Iowa nonoperator's identification card
11 number, and shall also provide a statement from a physician
12 licensed under chapter 148 or 149, a physician assistant
13 licensed under chapter 148C, an advanced registered nurse
14 practitioner licensed under chapter 152, or a chiropractor
15 licensed under chapter 151, or a physician, physician
16 assistant, nurse practitioner, or chiropractor licensed to
17 practice in a contiguous state, written on the physician's,
18 physician assistant's, nurse practitioner's, or chiropractor's
19 stationery, stating the nature of the applicant's disability
20 and such additional information as required by rules adopted by
21 the department under section 321L.8. If the person is applying
22 for a temporary persons with disabilities parking permit, the
23 physician's, physician assistant's, nurse practitioner's, or
24 chiropractor's statement shall state the period of time during
25 which the person is expected to be disabled and the period
26 of time for which the permit should be issued, not to exceed
27 six months. The department may waive the requirement that
28 the applicant furnish the applicant's social security number,
29 Iowa driver's license number, or nonoperator's identification
30 card number when the application for a temporary persons with
31 disabilities parking permit is made on behalf of a person who
32 is less than one year old.

33 ~~a.~~ 2. A person with a disability may apply for one of the
34 following persons with disabilities parking permits:

35 ~~(1)~~ a. Persons with disabilities registration plates. An

1 applicant may order persons with disabilities registration
2 plates pursuant to section 321.34. An applicant may order a
3 persons with disabilities registration plate for a trailer
4 used to transport a wheelchair pursuant to section 321.34 in
5 addition to persons with disabilities registration plates
6 ordered by the applicant for a motor vehicle used to tow such a
7 trailer pursuant to section 321.34.

8 ~~(2)~~ b. Persons with disabilities parking sticker. An
9 applicant who owns a motor vehicle for which the applicant
10 has been issued registration plates under section 321.34 or
11 registration plates as a seriously disabled veteran under
12 section 321.105 may apply to the department for a persons with
13 disabilities parking sticker to be affixed to the plates. The
14 persons with disabilities parking stickers shall bear the
15 international symbol of accessibility.

16 ~~(3)~~ c. Removable windshield placard. A person with a
17 disability may apply for a temporary removable windshield
18 placard ~~which shall be~~ valid for a period of up to six months
19 or a ~~nonexpiring~~ standard removable windshield placard valid
20 for a period of five years, as determined by the physician's,
21 physician assistant's, nurse practitioner's, or chiropractor's
22 statement under ~~this~~ subsection 1.

23 (1) A temporary removable windshield placard shall be
24 renewed within thirty days of the date of expiration. Persons
25 seeking temporary removable windshield placards shall be
26 required to furnish evidence upon initial application that
27 they have a temporary disability and, in addition, furnish
28 evidence at subsequent intervals that they remain temporarily
29 disabled. Temporary removable windshield placards shall be
30 of a distinctively different color from ~~nonexpiring~~ standard
31 removable windshield placards.

32 (2) A ~~nonexpiring~~ standard removable windshield placard
33 ~~shall state on the face of the placard that it is a nonexpiring~~
34 ~~placard~~ shall expire on the last day of the month that is five
35 years from the date of issuance. A person with a disability

1 may renew a standard removable windshield placard within thirty
2 days before or after the date of expiration by certifying to
3 the department that the person has a continuing need for the
4 placard.

5 (3) The department shall issue one additional removable
6 windshield placard upon the request of a person with a
7 disability.

8 ~~b.~~ 3. a. The department may issue expiring removable
9 windshield placards to the following:

10 (1) An organization which has a program for transporting
11 persons with disabilities or elderly persons.

12 (2) A person in the business of transporting persons with
13 disabilities or elderly persons.

14 ~~e.~~ b. One expiring removable windshield placard may be
15 issued for each vehicle used by the organization or person for
16 transporting persons with disabilities or elderly persons.
17 A placard issued under this ~~paragraph~~ subsection shall be
18 renewed every four years from the date of issuance and shall
19 be surrendered to the department if the organization or person
20 is no longer providing the service for which the placard was
21 issued. Notwithstanding section 321L.4, a person transporting
22 persons with disabilities or elderly persons in a motor vehicle
23 for which a placard has been issued under this ~~paragraph~~
24 subsection may display the placard in the motor vehicle and may
25 use a persons with disabilities parking space while the motor
26 vehicle is displaying the placard. A placard issued under this
27 ~~paragraph~~ subsection shall be of a distinctively different
28 color from a placard issued under ~~paragraph "a"~~ subsection 2.

29 ~~d.~~ 4. A new removable windshield placard can be issued
30 if the previously issued placard is reported lost, stolen, or
31 damaged. The placard reported as being lost or stolen shall
32 be invalidated by the department. A placard which is damaged
33 shall be returned to the department and exchanged for a new
34 placard in accordance with rules adopted by the department.

35 ~~2.~~ 5. Any person providing false information with the

1 intent to defraud on the application for a persons with
2 disabilities parking permit used in establishing proof under
3 subsection 1 is subject to a civil penalty of three hundred
4 dollars which may be imposed by the department. A physician,
5 physician assistant, nurse practitioner, or chiropractor who
6 provides false information with the intent to defraud on the
7 physician's, physician assistant's, nurse practitioner's, or
8 chiropractor's statement used in establishing proof under
9 subsection 1 is subject to a civil penalty of three hundred
10 dollars which may be imposed by the department. In addition
11 to the civil penalty, the department shall revoke the permit
12 issued pursuant to this section.

13 ~~3.~~ 6. The removable windshield placard shall contain the
14 following information:

15 a. Each side of the placard shall include all of the
16 following:

17 (1) The international symbol of access, which is at least
18 three inches in height, centered on the placard, and is white
19 on a blue shield.

20 (2) An identification number.

21 (3) A date of expiration, which shall be of sufficient size
22 to be readable from outside the vehicle.

23 (4) The seal or other identification of the issuing
24 authority.

25 b. One side of the placard shall contain all of the
26 following information:

27 (1) A statement printed on it as follows: "Unauthorized
28 use of this placard as indicated in Iowa Code chapter 321L may
29 result in a fine, invalidation of the placard, or revocation of
30 the right to use the placard. This placard shall be displayed
31 only when the vehicle is parked in a persons with disabilities
32 parking space or in a parking space not designated as a persons
33 with disabilities parking space if a wheelchair parking cone is
34 used pursuant to Iowa Code section 321L.2A."

35 (2) The return address and telephone number of the

1 department.

2 (3) The signature of the person who has been issued the
3 placard.

4 ~~4.~~ 7. A removable windshield placard shall only be
5 displayed when the vehicle is parked in a persons with
6 disabilities parking space.

7 ~~5.~~ 8. A seriously disabled veteran who has been provided
8 with an automobile or other vehicle by the United States
9 government under the provisions of 38 U.S.C. § 1901 et seq.
10 (1970) is not required to apply for a persons with disabilities
11 parking permit under this section unless the veteran has been
12 issued special registration plates or personalized plates for
13 the vehicle. The regular registration plates issued for the
14 disabled veteran's vehicle without fee pursuant to section
15 321.105 entitle the disabled veteran to all of the rights and
16 privileges associated with persons with disabilities parking
17 permits under this chapter.

18 Sec. 2. Section 321L.4, subsection 2, Code 2011, is amended
19 to read as follows:

20 2. The use of a persons with disabilities parking space,
21 located on either public or private property as provided in
22 sections 321L.5 and 321L.6, by an operator of a vehicle not
23 displaying a persons with disabilities parking permit; by an
24 operator of a vehicle displaying a persons with disabilities
25 parking permit but not being used by a person issued a permit
26 or being transported in accordance with section 321L.2,
27 subsection ~~1~~, paragraph ~~"b"~~ 3; or by a vehicle in violation
28 of the rules adopted by the department under section 321L.8,
29 constitutes improper use of a persons with disabilities parking
30 permit, which is a misdemeanor for which a scheduled fine shall
31 be imposed upon the owner, operator, or lessee of the vehicle
32 or the person to whom the persons with disabilities parking
33 permit is issued. The scheduled fine for each violation shall
34 be as established in section 805.8A, subsection 1, paragraph
35 "c". Proof of conviction of two or more violations involving

